

Notice of Allowability

Application No.

09/827,011

Examiner

Thomas K. Pham

Applicant(s)

SANKURATRIPATI ET AL.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request for consideration filed 7/11/2006.
2. ☒ The allowed claim(s) is/are 1-21, 23 and 26-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Reasons for Allowance

1. Claims 1-21, 23 and 26-34 are allowed.
2. The following is an examiner's statement of reasons for allowance:

While Merriman (U.S. Patent No. 5,948,061) discloses targeting the delivery of advertisements over a network such as the Internet. Information about individual users is gathered when users select different advertisements. Data is tracked on how often a given user has seen a given advertisement, and other information regarding the user and the frequency of the display of the advertisement. In response to requests from affiliated sites, an advertising server transmits to people accessing the page of a site an appropriate one of the advertisement based upon profiling of users and networks. Merriman does not teach an instance of software residing on a user PC for recording any user activity data routed through the first server including at least transaction activity occurring at any destination websites the user freely chooses to navigate to; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

And Philyaw (U.S. Patent No. 6,836,799) discloses a user PC disposed on a network runs tracking software which initially requires registration to a registration server. The registration process is initiated by the user entering user information into the tracking software for transmission to the registration server. In response to registration, the registration server sends a unique ID/bar code to the vendor server. The vendor server sends the unique ID/bar code to the registration server to obtain user profile information which matches the unique ID/bar code. As the user accesses the vendor server, the user activities are logged and return to the registration server for updating the user information stored therein. Philyaw does not teach compiling and

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storing the user profile information on an ongoing basis, by monitoring any user navigation behavior on the Internet including, at least transaction activity occurring at any destination websites the user freely chooses to navigate to; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

The prior art of record fails to teach or fairly suggest to one of ordinary skill in the art at the time of the invention, in conjunction with all the other claimed limitations, a method and system for dynamically serving advertisement data based on user profile information to a user interface maintained on the Internet having all the claimed features of applicant's instant invention, specifically including: compiling and storing the user profile information on an ongoing basis, by monitoring any user navigation behavior on the Internet including, at least transaction activity occurring at any destination websites the user freely chooses to navigate to, etc., as set forth in the claims.

Also, there is no motivation to combine the Merriman reference with the Philyaw reference to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday to Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham

Patent Examiner

A handwritten signature in black ink, appearing to read 'Thuphame', with a long horizontal flourish extending to the right.

September 24, 2006